

Trial Court Budget Commission

The Trial Court Budget Commission (TCBC) was created by the Judicial Council pursuant to rule 1026 of the California Rules of Court and Government Code section 68502.5, following the passage of the Trial Court Realignment and Efficiency Act (1991).

In September 1997 the Lockyer-Isenberg Trial Court Funding Act of 1997 (Assem. Bill 233 [Escutia and Pringle]), the landmark trial court funding restructuring legislation among its key provisions, the legislation was passed. Governor Pete Wilson signed the bill on October 13, 1997, and it became effective January 1, 1998:

- Consolidated all court funding at the state level, giving the Legislature authority to make appropriations and the Judicial Council responsibility to allocate funds to state courts.
- Required the Judicial Council to annually submit to the Governor, for inclusion in the state budget, a trial court budget that meets the needs of all trial courts and promotes equal access to the courts statewide.
- Provided that counties annually pay to the state the funds they contributed to the courts in fiscal year 1994–1995. Beginning in fiscal year 1998–1999, the state would provide additional relief of \$350 million to local governments.
- Required the state to fund all growth in court operation costs.

- Required the state to provide 100 percent funding for court operations in the 20 smallest counties, beginning July 1, 1998.
- Required counties to continue funding court facilities and continue paying those court-related costs that are outside the statutory definition of court operations, such as indigent defense, pretrial release, and probation costs.
- Adjusted various civil court fees to generate \$87 million annually to support trial court operations.
- Directed the Judicial Council to adopt rules of court that ensure a decentralized system of trial court management.

The passage of the Trial Court Funding Act of 1997 had a significant impact on the TCBC's responsibilities, structure, and membership. In accordance with the Judicial Council's recently revised rules of court and budget policies and procedures, the TCBC is now responsible for developing budgets and allocating trial court funding under a single-source, state-funded system.

COMMISSION'S RESPONSIBILITIES

The TCBC, subject to approval by the Judicial Council, is the primary body charged with developing budgeting processes, criteria,

standards, and review of initial budget submissions. The TCBC also develops recommended allocation schedules for trial courts upon determination of their state funding appropriations.

Following are the key Judicial Council goals in which the TCBC has a role.

Access, Fairness, and Diversity

Provide a fair process for budget development for the trial courts.

Provide a budgeting process that equalizes access among the trial courts.

Modernization of Judicial Administration Practices

Reward innovative and unified courts through the allocation process.

Independence of the Judiciary

Provide additional information with yearly budget recommendations, including:

- A statewide summary of programs, supported by statewide and local needs, in council-approved program priority areas;
- An analysis of the available options for funding the trial courts if less than the amount requested is received, including the recommended preferred option; and
- A comparative ranking by the TCBC of the recommended program priority areas. Provide an analysis of implications for allocation and reallocation of funding resources.

Undertake a comprehensive review of the trial court budget development process to identify improved practices and procedures pursuant to existing law.

COMMISSION'S STRUCTURE

The TCBC fulfills its responsibilities using three-committees: the Executive Committee, the Allocations Committee, and the Budget Planning Committee. These committees are responsible for providing recommendations to the full commission on TCBC policy issues, agenda development, funding allocations, and budget review. The TCBC chair establishes the committees' duties based on statutory responsibilities and on the recommendations of the full commission.

1999–2000 PROJECTS

The commission is developing:

- Proposed procedures, timelines, and review criteria for the fiscal year 2001–2002 budget development process;
- Statewide programmatic budgeting categories and guidelines;
- Proposed procedures, timelines, and review criteria for the fiscal year 2000–2001 allocation processes;
- Recommendations concerning allocation of 1999–2000 legislatively approved state budget appropriations;
- Recommendations concerning the allocation of fiscal year 1999–2000 excess fine and forfeiture

revenues and the 2 percent automation fund reserve;

- Recommendations concerning the allocation of fiscal year 1999–2000 one percent reserve funds in the Trial Court Improvement Fund; and
- Ongoing recommendations on the allocation of funds for the Court Interpreter’s Program.

The 27-member Judicial Council is the policymaking body of the California courts, the largest and busiest court system in the nation. Under the leadership of the Chief Justice and in accordance with the California Constitution, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice. The Administrative Office of the Courts serves as the staff agency to the council.

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